

Summons in a Civil Action (Rev 11/97)

FILED

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

LYMS, INC.; WENDY YOUNGREN
AND CATHY MEANS AS SUCCESSOR
TRUSTEES OF THE LYMS 401(k)
SAVINGS PLAN, vs

BRUCE MILLIMAKI AND MICHAEL
EFFERT, FORMER TRUSTEES OF
THE LYMS 401(k) SAVINGS
PLAN; GARY BERMAN,
INDIVIDUALLY,
Defendants

BY *J* DEPUTY

SUMMONS IN A CIVIL ACTION

Case No. 08-cv-1210-JLS-NLS

FIRST AMENDED COMPLAINT FOR BREACHES
OF FIDUCIARY DUTY UNDER THE EMPLOYEE
RETIREMENT INCOME SECURITY ACT
("ERISA"), 29 U.S.C. Section 1001
et seq.; NEGLIGENCE AND BREACH OF
CONTRACT UNDER 29 USC Section 1367(a)

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and
serve upon PLAINTIFF'S ATTORNEY

PETA LEWIS HALLISEY
BRANTON & WILSON, APC
701 B STREET, SUITE 1255
SAN DIEGO, CA 92101

An answer to the complaint which is herewith served upon you, within 20 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment
by default will be taken against you for the relief demanded in the complaint.

JUL 23 2008

W. Samuel Hamrick, Jr.

DATE



By

, Deputy Clerk